

FORM 26. Docketing Statement**Form 26 (p. 1)**
July 2020

**UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT**

DOCKETING STATEMENT

Case Number: 2022-2288

Short Case Caption: Apple Inc. v. Corephotonics, Ltd.

Filing Party/Entity: Corephotonics, Ltd.

Instructions: Complete each section or check the box if a section is intentionally blank or not applicable. Attach additional pages as needed. Refer to the court's Mediation Guidelines for filing requirements. An amended docketing statement is required for each new appeal or cross-appeal consolidated after first filing.

| Case Origin | Originating Number | Type of Case |
|-------------|--------------------|---------------------|
| PTAB | IPR2020-00489 | Inter Partes Review |

Relief sought on appeal: None/Not Applicable

Relief awarded below (if damages, specify): None/Not Applicable

The Board determined that claims 5 and 6 of the 408 patent are not unpatentable, denied Petitioner's request to admit and consider a pertinent U.S. provisional patent application as well as a brief prepared and submitted by the patent owner in connection with a proceeding before the Patent Court of Korea, and did not provide a ruling regarding Petitioner's unopposed request to include as exhibits in the agency record the parties' requests regarding additional evidence.

Briefly describe the judgment/order appealed from:

The Board's Final Written Decision determining that claims 5 and 6 of the 408 patent are not unpatentable, denied Petitioner's request to admit and consider a pertinent U.S. provisional patent application as well as a brief prepared and submitted by the patent owner in connection with a proceeding before the Patent Court of Korea, and did not provide a ruling regarding Petitioner's unopposed request to include as exhibits in the agency record the parties' requests regarding additional evidence.

Nature of judgment (select one):

Date of judgment: 7/26/22

- Final Judgment, 28 USC § 1295
- Rule 54(b)
- Interlocutory Order (specify type) _____
- Other (explain) _____

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Name and docket number of any related cases pending before this court, and the name of the writing judge if an opinion was issued. None/Not Applicable

Issues to be raised on appeal: None/Not Applicable

Have there been discussions with other parties relating to settlement of this case?

Yes No

If "yes," when were the last such discussions?

- Before the case was filed below
- During the pendency of the case below
- Following the judgment/order appealed from

If "yes," were the settlement discussions mediated? Yes No

If they were mediated, by whom?

Hon. Jay Gandhi

Do you believe that this case may be amenable to mediation? Yes No

Explain.

The parties have attempted to resolve their disputes through mediation, but were unable to reach a settlement.

Provide any other information relevant to the inclusion of this case in the court's mediation program.

N/A

Date: 10/13/22 Signature: /s/ Marc A. Fenster
 Name: Marc A. Fenster